

Signed: January 06, 2010

SO ORDERED

James F. Schneider
JAMES F. SCHNEIDER

U. S. BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
 FOR THE DISTRICT OF MARYLAND
 AT BALTIMORE**

IN RE:

GREGG L. BATY,

Debtor.

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GREGG L. BATY,

Movant

vs.

PNC FINANCIAL SERVICES
 GROUP, f/k/a NATIONAL CITY BANK

Respondent.

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ORDER GRANTING MOTION TO AVOID LIEN

Having considered the Debtors' *Motion To Determine Status And Avoid Lien Pursuant To Section 506(a)*, and any response filed thereto, and it appearing that proper notice has been given, pursuant to 11 U.S.C. Sec. 506 and for the reasons set forth in the case of Johnson v. Asset Management Group, LLC, 226 B.R. 364 (D. Md. 1998), it is by the United States Bankruptcy Court for the District of Maryland,

ORDERED, that the Second/Junior Mortgage Lien of Respondent, per Debtor's Schedule D, be and is hereby deemed wholly unsecured; and it is further

ORDERED, that at such time as a Discharge Order is entered, pursuant to 11 U.S.C. Sec. 1328, in this case, the second/junior mortgage lien held in favor of Respondent on Debtor's real property described as: 3309 Serenity Way, Owings Mills, Baltimore County, Maryland 21117, shall be void, and it is further

ORDERED, that the Respondent, PNC Financial Services Group f/k/a/ National City Bank, shall remove its second/junior mortgage lien from the land records of the appropriate county; and it is further

ORDERED, that the Second/Junior Mortgage Lien claim of Respondent, per Debtor's Schedule D, herein shall be treated as a general unsecured claim under the Debtor's plan.

cc:
Respondent
Debtor
Debtor's attorney
Office of the U.S. Trustee
Chapter 13 Trustee

END OF ORDER
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